HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

REQUEST	
FOR	
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RANSMITTAL	NOV 0 5 2004 3

Subsection (b) of 35 U.S.C. § 132, effective on May 2000, provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of a utility or plant and approximately provides for continued examination of

filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA)

TO THE TITOE DE	33 1 1 3 2 2 3 3 1 4 3 1				
Application Number	09/159,172				
Filing Date	September 23, 1998				
Confirmation Number	4830				
First Named Inventor	Francis A. Ennis				
Group Art Unit	1644				
Examiner Name	Saunders, David A.				
Attorney Docket Number	2866.1002-000 (UMMC98-13)				

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

·	con adj	sider fil ustment	ing a cont provision	tinued prosecuti is of the AIPA.	ion application (See Changes to 2	CPA) under 37 C.1 Application Examin	F.R. § 1.53(d) nation and Pro	olication was filed prior to (PTO/SB/29) instead of a ovisional Application Prad at. Office 47 (Apr. 11, 200	RCE to be elig ctice, Final Rul	ible for the patent term e, 65 Red. Reg. 50092
1. 8	Submi	ssion i	equire	d under 37 (C.F.R. § 1.1	14				
а	a. []	Previ	ously s	submitted						
	i.	[]	Consid (Any un	der the ame nentered amen	endment(s)/r dment(s) referr	eply under 37 ed to above will t	C.F.R. § 1 be entered).	1.116 previously file	ed on [].	
	ii	[]	Consid	der the argu	ments in the	e Appeal Brief	or Reply B	Brief previously filed	d on [].	
	iii.			[].						
b). []	Pleas	se do n	ot enter the	amendment	t(s)/reply unde	er 37 C.F.F	R. § 1.116 previousl	y filed on [].
С	. [X]	Enclo	sed							
	i.	[X]	Amen	idment/Repl	у		İ	11/08/2004 HALI11	00000071 ()9159172
	ii.	[X]				nt Under 3.73	(b)	01 FC:1801		790.00 OP
	iii.	[]			sure Staten	, ,				
	iv.	[X]				- 4 month(s)	with copy			
	V.	[X]		Amendm	ent Fee Tra	nsmittal.				
	/liscell									
а	a. []	Susp of [ension] mon	of action or ths. (Period	n the above- of suspension s	identified appl shall not exceed 3	ication is r 3 months; Fe	equested under 37 e under 37 C.F.R. § 1.1	C.F.R. § 1. 7(i) required)	103(c) for a period
). []		-].						
3. F	ees	The RC	E fee und	der 37 CFR §1	.17(e) is requir	ed by 37 CFR §1	.114 when th	e RCE is filed.		
а	ı. [X]	A che	eck is e	enclosed for	the following	g fees in the to	otal amour	nt of \$2,448.00		
		OR								
	 Authorization is granted to charge the following fees in the total amount of \$[] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes 									
	i.	[X]	RCE f	fee required	under 37 C	.F.R. § 1.17(e)			
	ii.	[X]	Extens	sion of time	fee (37 C.F	.R. §§ 1.136 a	and 1.17)			
	iii.	[X]	Amen	dment Fee						
	iv.					Statutory Fee				
b). [X]	Autho Acco	orizatioı unt No.	n is hereby . 08-0380	granted to c A copy of thi	harge any def s document is	iciency in f enclosed	ees or credit any or for accounting purp	verpayment ooses.	ts to Deposit
				SIGNA	TURE OF AF	PPLICANT, AT	TORNEY O	R AGENT REQUIRE	D	
N	lame (F		pe)	7	Anne J.	Collins		Registration No. (Atto		40,564
	Sign	ature		un	neg	Calle	w	Date NMC	mber	3,2004

CERTIFICATE OF MAILING OR TRANSMISSION				
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:				
Name (Print/Type)	Jenine Crump			
Signature	Date Miller 3 2004			

November 3, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Francis A. Ennis

Application No.:

09/159,172

Group:

1644

Filed:

September 23, 1998

Examiner:

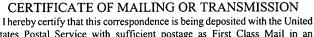
Saunders, David A.

Confirmation No.:

4830

Predictive Assay For Immune Response





States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

November 3, 2004

Date

Jenine Crump

Typed or printed name of person signing certificate

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is Amendment for filing in the above-identified application.

- Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been [] established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

MINUS

MINUS

FIRST PRESENTATION OF MULTIPLE DEP. CLAIM

(COL. 1) **CLAIMS**

REMAINING

AFTER AMENDMENT

21

(COL. 2)

HIGHEST NO.

PREVIOUSLY

PAID FOR

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(COL. 3)

PRESENT

EXTRA

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х	\$44	\$			
+	\$150	\$			

OR

R.	ATE	ADDIT. FEE			
x	\$18	\$	18		
х	\$88	\$			
+	\$300	\$			

OTHER THAN

SMALL ENTITY

not fewer than 20

not fewer than 3

TOTAL

INDEP

TOTAL =\$____0

TOTAL =\$ 18

Please char	ge Deposit Account No. 08-0380 for the following fees:		
[]	Petition for [] month Extension of Time	\$_	
[]	Amendment Fee	\$_	
[]	Other Fees:		
		\$_	
		\$_	
	TOTA	L: \$_	0
A check is	enclosed in payment of the following fees:		
[X]	Petition for four month Extension of Time	\$_	1530
[X]	Amendment Fee	\$_	18
[X]	Other Fees:		
	Request For Continued Examination (RCE)	\$_	790
	Terminal Disclaimer Statutory Fee	\$	110
	TOTA	L: \$	2448

A general authorization is hereby granted to charge Deposit Account No. 08-0380 [X] for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

Anne J. Collins

Registration No.: 40,564 Telephone (978) 341-0036 Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133
Dated: Mrum W 3, 20 4

• @PFDesktop\::ODMA/MHODMA/HBSR05;iManage;509604;1

AJC:icc

November 3, 2004

Attorney's Docket No.: 2866.1002-000 (UMMC98-13)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Francis A. Ennis

Application No.:

09/159,172

Group: 1644

Filed:

September 23, 1998

Examiner:

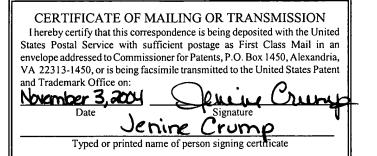
Saunders, David A.

Confirmation No.:

4830

Predictive Assay For Immune Response For:





11/08/2004 HALI11 00000071 09159172

04 FC:1202

18.00 OP

AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on October 28, 2003 in the above-identified application. Reconsideration and further examination are requested.

A Request For Continued Examination under 37 C.F.R. §1.114 is being filed in lieu of filing a Brief on Appeal pursuant to the Notice of Appeal received by the U.S. Patent Office on May 3, 2004. A four-month extension of time for filing a Brief on Appeal is respectfully requested. A separate Petition for Extension of Time and the appropriate fees are being filed concurrently.

Please amend the application as follows: